

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

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DATE

**December 20, 2017**

MOTOR CARRIER MATTER

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DOCKET NO.

**2016-41-E**

UTILITIES MATTER

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ORDER NO.

**2017-761**

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**SUBJECT:**

DOCKET NO. 2016-41-E - Power Purchase Agreement between Duke Energy Progress, LLC and Olanta Solar, LLC – Staff Presents for Commission Consideration the Request for Acceptance of the Filing of the Amended Power Purchase Agreement between Duke Energy Progress, LLC and Olanta Solar, LLC, along with a Request for Confidential Treatment of Certain Portions of the Agreement.

**COMMISSION ACTION:**

In Docket Number 2016-41-E, Duke Energy Progress has requested confidential treatment of certain portions of amendments to Power Purchase Agreements it has entered into with Olanta Solar, LLC. The Office of Regulatory Staff has opposed Duke's request. However, Duke argues that the materials which it wishes to keep confidential contain competitive and proprietary business information meeting the definition of trade secrets, and therefore should be exempted from disclosure under the Freedom of Information Act. Further, it argues that this finding is consistent with longstanding practice at the PSC, and that protecting this data from disclosure ensures that Duke can continue to negotiate favorable terms in its power purchase agreements, and as a result, be able to offer its ratepayers lower rates.

It should also be noted that the Commission is empowered, pursuant to South Carolina Code Section 58-4-55(C), to exempt from public disclosure by the Office of Regulatory Staff any documents or information which it finds to be entitled to confidential treatment. The Commission therefore orders that the un-redacted copies of the amendments to the power purchase agreements at issue here remain sealed for the present, while Commission staff is instructed to schedule oral argument as to the redacted documents at issue.

PRESIDING: WhitfieldSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BOCKMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ELAM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

WHITFIELD

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(SEAL)

RECORDED BY: J. Schmieding

